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09/821,320	03/29/2001	Truc Q. Vu	PD-99W028	2273

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EXAMINER

NGUYEN, LUONG TRUNG

ART UNIT PAPER NUMBER

2612

DATE MAILED: 06/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 09/821,320	Applicant(s) VU ET AL.	
	Examiner LUONG T. NGUYEN	Art Unit 2612	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 23 November 2004.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-7, 9-13 and 15-39 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7, 9-13, 15-39 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date. _____  | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

### ***Response to Arguments***

1. The Affidavit filed on 11/23/2004 under 37 CFR 1.131 has been considered but is ineffective to overcome the Tashiro (US 6,501,062) reference.

The evidence submitted is insufficient to establish diligence from a date prior to the date of reduction to practice of the Tashiro (US 6,501,062) reference to either a constructive reduction to practice or an actual reduction to practice.

Applicant must account for the entire period during which diligence is required and the period during which diligence is required must be accounted for by either affirmative acts or acceptance excuses. See MPEP § 2138.06.

2. Applicant's arguments with respect to claims 1-7, 9-13, 15-39 filed on 11/23/2004 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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4. Claims 1-5, 9-11, 15-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hynecek (US 4,819,070) in view of Tashiro (US 6,501,062).

Regarding claim 1, Hynecek ('070) discloses a detector comprising transistor sensitive to electromagnetic energy (transistor 60, figures 2, 3, 3a, column 6, lines 25-51) and means for biasing (bias transistor 80, figures 2, 3, 3a, column 7, lines 5-20) said transistor whereby an output thereof is responsive to said electromagnetic energy (output line 74, figures 2, 3, 3a).

Hynecek ('070) fails to disclose the transistor is formed on top of an insulating substrate which is transparent to visible light. However, Tashiro teaches an image pickup apparatus, in which thin film transistors are generally formed on a transparent insulating substrate (column 3, lines 39-45). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device in Hynecek ('070) by the teaching of Tashiro in order to allow light enter to the interior of the substrate.

Regarding claims 2, 21, Hynecek ('070) discloses electromagnetic radiation is light (incident light, column 6, lines 48-50).

Regarding claims 3, 22, Hynecek ('070) discloses said light is in the visible portion of the electromagnetic spectrum (incident light, column 6, lines 48-50).

Regarding claims 4, 10, Hynecek ('070) discloses said transistor has a body (figure 2), a gate terminal (gate 72, figures 2-3), a source terminal and a drain terminal (see figures 2-3).

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Regarding claims 5, 11, Hynecek ('070) discloses the body of said transistor is configured to float (gate region 70, figures 2-3, column 6, lines 57-66).

Regarding claim 9, Hynecek ('070) discloses an imager comprising first means for detecting input illumination (sensor array 12, figures 1-2, column 5, lines 32-37), said first means including an array of detectors (array of transistor sensor elements 60, figure 2, column 6, lines 25-30), each detector including a transistor sensitive to electromagnetic radiation (transistor 60, figures 2, 3, 3a, column 6, lines 25-51); second means for biasing said transistors (bias transistors 80, figures 2, 3, 3a, column 7, lines 5-20); and third means for detecting an output from each of said biased detectors in response to electromagnetic radiation (output lines 74, figure 2).

Hynecek ('070) fails to disclose the transistor being formed on top of an insulating substrate which is transparent to visible light. However, Tashiro teaches an image pickup apparatus, in which thin film transistors are generally formed on a transparent insulating substrate (column 3, lines 39-45). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device in Hynecek ('070) by the teaching of Tashiro in order to allow light enter to the interior of the substrate.

Regarding claim 15, Hynecek ('070) discloses means for selectively activating said transistors (row decoder 14, figure 1).

Regarding claim 16, Hynecek ('070) discloses means for sequentially activating said transistors (row decoder 14, figure 1).

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Regarding claim 17, Hynecek ('070) discloses means for randomly activating said transistors (row decoder 14, figure 1).

Regarding claim 18, Hynecek ('070) discloses said third means includes a differential amplifier (charge amplifiers 40,42, figure 1).

Regarding claim 19, Hynecek ('070) discloses said amplifier is a current sense differential amplifier (charge amplifiers 40,42, figure 1).

Regarding claim 20, Hynecek ('070) discloses means for supplying a reference voltage to said current sense differential amplifier (voltage supply VDD2, figure 1, column 5, lines 60-65).

5. Claims 6-7, 12-13, 29-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hynecek (US 4,819,070) in view of Tashiro (US 6,501,062) further in view of Hynecek (US 6,580,106).

Regarding claims 6-7, 12-13, Hynecek ('070) and Tashiro fail to specifically disclose said transistor is an n-channel complementary metal-oxide semiconductor transistor. However, Hynecek ('106) discloses a CMOS image sensor comprises transistor 203, which is an n-channel complementary metal-oxide semiconductor transistor (figures 2, 4, column 4, lines 42-49).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device in Hynecek ('070) and Tashiro by the teaching of Hynecek ('106) in order to provide a CMOS image sensor employing pixels that can be readout repeatedly and do not generate kTC noise (column 2, lines 16-19).

Regarding claim 29, Hynecek ('070) discloses an imager comprising first means for detecting input illumination (sensor array 12, figures 1-2, column 5, lines 32-37), said first means including an array of detectors (array of transistor sensor elements 60, figure 2, column 6, lines 25-30), each detector including a transistor sensitive to electromagnetic radiation (transistor 60, figures 2, 3, 3a, column 6, lines 25-51), each of said transistors having a body configured to float (gate region 70, figures 2-3, column 6, lines 57-66); second means for biasing, selectively and sequentially activating said transistors (bias transistors 80, figures 2, 3, 3a, column 7, lines 5-20); and third means for detecting an output from each of said biased detectors in response to electromagnetic radiation, said third means including a differential amplifier (output lines 74, charge amplifiers 40, 42, figure 2).

Hynecek ('070) fails to disclose each transistor being formed on top of an insulating substrate which is transparent to visible light. However, Tashiro teaches an image pickup apparatus, in which thin film transistors are generally formed on a transparent insulating substrate (column 3, lines 39-45). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device in Hynecek ('070) by the teaching of Tashiro in order to allow light enter to the interior of the substrate.

Hynecek ('070) and Tashiro fail to specifically disclose said transistor is an n-channel complementary metal-oxide semiconductor transistor. However, Hynecek ('106) discloses a CMOS image sensor comprises transistor 203, which is an n-channel complementary metal-oxide semiconductor transistor (figures 2, 4, column 4, lines 42-49). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device in Hynecek ('070) and Tashiro by the teaching of Hynecek ('106) in order to

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provide a CMOS image sensor employing pixels that can be readout repeatedly and do not generate kTC noise (column 2, lines 16-19).

Regarding claim 30, Hynecek ('070) discloses said amplifier is a current sense differential amplifier (charge amplifiers 40,42, figure 1).

Regarding claim 31, Hynecek ('070) discloses means for supplying a reference voltage to said current sense differential amplifier (voltage supply VDD2, figure 1, column 5, lines 60-65).

Regarding claim 32, Hynecek ('070) discloses electromagnetic radiation is light (incident light, column 6, lines 48-50).

Regarding claim 33, Hynecek ('070) discloses said light is in the visible portion of the electromagnetic spectrum (incident light, column 6, lines 48-50).

6. Claims 23-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hynecek (US 4,819,070) in view of Tashiro (US 6,501,062) further in view of Yu (US 6,008,843).

Regarding claim 23, Hynecek ('070) and Tashiro fail to disclose means for mounting a first color filter between said light and one or more of a first set of said detectors. However, Yu teaches a red filter layer mounted on pixel 11 (figure 1b, column 1, lines 15-50). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to



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modify the device in Hynecek ('070) and Tashiro by the teaching of Yu in order to allow only light of each predetermined wavelength to be incident on the photodiode (column 1, lines 42-44).

Regarding claim 24, Hynecek ('070) and Tashiro fail to disclose means for mounting a second color filter between said light and one or more of a second set of said detectors. However, Yu teaches a blue filter layer mounted on pixel 11 (figure 1b, column 1, lines 15-50). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device in Hynecek ('070) and Tashiro by the teaching of Yu in order to allow only light of each predetermined wavelength to be incident on the photodiode (column 1, lines 42-44).

Regarding claim 25, Hynecek ('070) and Tashiro fail to disclose means for mounting a third color filter between said light and one or more of a third set of said detectors. However, Yu teaches a green filter layer mounted on pixel 11 (figure 1b, column 1, lines 15-50). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device in Hynecek ('070) and Tashiro by the teaching of Yu in order to allow only light of each predetermined wavelength to be incident on the photodiode (column 1, lines 42-44).

7. Claims 26-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hynecek (US 4,819,070) in view of Tashiro (US 6,501,062) further in view of Shimomura et al. (US 6,738,164).

Regarding claim 26, Hynecek ('070) and Tashiro fail to disclose a grating for directing light of a first color to one or more of a first set of said detectors. However, Shimomura et al. teaches a grating 2, which separates the light beam enter to receiving means 3 into light beams of predetermined colors (e.g., red, blue, green), figures 7A-7B, column 5, lines 9-23. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device in Hynecek ('070) and Tashiro by the teaching of Shimomura et al. in order to read color images highly accurately (column 3, lines 45-50).

Regarding claim 27, Hynecek ('070) and Tashiro fail to disclose the grating is adapted to direct light of a second color to one or more of a second set of said detectors. However, Shimomura et al. teaches a grating 2, which separates the light beam enter to receiving means 3 into light beams of predetermined colors (e.g., red, blue, green), figures 7A-7B, column 5, lines 9-23. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device in Hynecek ('070) and Tashiro by the teaching of Shimomura et al. in order to read color images highly accurately (column 3, lines 45-50).

Regarding claim 28, Hynecek ('070) and Tashiro fail to disclose the grating is adapted to direct light of a third color to one or more of a third set of said detectors. However, Shimomura et al. teaches a grating 2, which separates the light beam enter to receiving means 3 into light beams of predetermined colors (e.g., red, blue, green), figures 7A-7B, column 5, lines 9-23. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention

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was made to modify the device in Hynecek ('070) and Tashiro by the teaching of Shimomura et al. in order to read color images highly accurately (column 3, lines 45-50).

8. Claims 34-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hynecek (US 4,819,070) in view of Tashiro (US 6,501,062) and Hynecek (US 6,580,106) further in view of Yu (US 6,008,843).

Regarding claim 34, Hynecek ('070), Tashiro and Hynecek ('106) fail to disclose means for mounting a first color filter between said light and one or more of a first set of said detectors. However, Yu teaches a red filter layer mounted on pixel 11 (figure 1b, column 1, lines 15-50). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device in Hynecek ('070), Tashiro and Hynecek ('106) by the teaching of Yu in order to allow only light of each predetermined wavelength to be incident on the photodiode (column 1, lines 42-44).

Regarding claim 35, Hynecek ('070), Tashiro and Hynecek ('106) fail to disclose means for mounting a second color filter between said light and one or more of a second set of said detectors. However, Yu teaches a blue filter layer mounted on pixel 11 (figure 1b, column 1, lines 15-50). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device in Hynecek ('070), Tashiro and Hynecek ('106) by the teaching of Yu in order to allow only light of each predetermined wavelength to be incident on the photodiode (column 1, lines 42-44).

Regarding claim 36, Hynecek ('070), Tashiro and Hynecek ('106) fail to disclose means for mounting a third color filter between said light and one or more of a third set of said detectors. However, Yu teaches a green filter layer mounted on pixel 11 (figure 1b, column 1, lines 15-50). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device in Hynecek ('070), Tashiro and Hynecek ('106) by the teaching of Yu in order to allow only light of each predetermined wavelength to be incident on the photodiode (column 1, lines 42-44).

9. Claims 37-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hynecek (US 4,819,070) in view of Tashiro (US 6,501,062) and Hynecek (US 6,580,106) further in view of Shimomura et al. (US 6,738,164).

Regarding claim 37, Hynecek ('070), Tashiro and Hynecek ('106) fail to disclose a grating for directing light of a first color to one or more of a first set of said detectors. However, Shimomura et al. teaches a grating 2, which separates the light beam enter to receiving means 3 into light beams of predetermined colors (e.g., red, blue, green), figures 7A-7B, column 5, lines 9-23. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device in Hynecek ('070), Tashiro and Hynecek ('106) by the teaching of Shimomura et al. in order to read color images highly accurately (column 3, lines 45-50).

Regarding claim 38, Hynecek ('070), Tashiro and Hynecek ('106) fail to disclose the grating is adapted to direct light of a second color to one or more of a second set of said

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detectors. However, Shimomura et al. teaches a grating 2, which separates the light beam enter to receiving means 3 into light beans of predetermined colors (e.g., red, blue, green), figures 7A-7B, column 5, lines 9-23. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device in Hynecek ('070), Tashiro and Hynecek ('106) by the teaching of Shimomura et al. in order to read color images highly accurately (column 3, lines 45-50).

Regarding claim 39, Hynecek ('070), Tashiro and Hynecek ('106) fail to disclose the grating is adapted to direct light of a third color to one or more of a third set of said detectors. However, Shimomura et al. teaches a grating 2, which separates the light beam enter to receiving means 3 into light beans of predetermined colors (e.g., red, blue, green), figures 7A-7B, column 5, lines 9-23. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device in Hynecek ('070), Tashiro and Hynecek ('106) by the teaching of Shimomura et al. in order to read color images highly accurately (column 3, lines 45-50).

### ***Conclusion***

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO**

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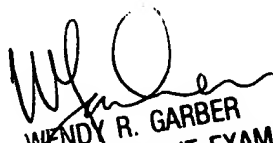
MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to LUONG T NGUYEN whose telephone number is (571) 272-7315. The examiner can normally be reached on 7:30AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, WENDY GARBER can be reached on (571) 272-7308. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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